who served on the flagship Brooklyn in the Spanish war were placed on the witness stand before the Schley Court of Inquiry to-day to give testimony in behalf of Admiral Schley. Five of them, now day, was the first witness called this morning, but he did not give any additional testimony of importance. When he was on the stand yesterday Lieut. Webster told the court that off Cienfuegos, according to his recollection, the blockade line of the flying Squadron was perpendicular to the shore line at night. In The Sun's report it was erroneously stated that he said the line was parallel to the shore line. Lieut-Commander T. D. Griffin, now stationed at Mare Island, Cal. who was senior watch officer on the Brooklyn in the Spanish war, testified that at Cienfuegos say that he did not give any additional destinony of importance. When he was on the stand yesterday Lieut. Webster told the court that off Cienfuegos, according to his recollection, the blockade line of the Flying Squadron was perpendicular to the shore line at night. In The Sun's report it was erroneously stated that he said the line was parallel to the shore line. Lieut-Commander T. D. Griffin, now stationed at Mare Island, Cal. who was senior watch officer on the Brooklyn in the Spanish war, testified that at Cienfuegos scheduler. Sigsbee say that he did not believe they were there. Another said he heard firing as the Flying Squadron approached Clenfuegos, something that Admiral Schley said helped convince him that the Spanish feet was there. Capt. Cook and all the other officers of the Brooklyn, except Lieut. Dovle, have testified that they did not ear any sounds of cannon. A third ensign said Admiral Schley told him that he was going in on May 31 to develop the Saniago batteries at long range, but not to attempt to destroy the Colon, which was lying near the harbor entrance. A great many officers have testified that Admiral Schley said before this affair that he was going in to "pot the Colon" and try to sink her, but they asserted that he would not let the attacking ships go near enough to do the Spanish vessel any harm. All five young officers testified that the

Brooklyn got very close to the Spanish ships in the battle off Santiago before the turn began, and that one of the Spaniards started for the Brooklyn as if to ram her. Ensign Abele said that 1,100 yards was the lowest firing range given to him and that the Viscaya turned out toward the Brooklyn, but in a few minutes changed her course. To a question by the Court he made the rather remarkable statement that this was the range when the "loop" was completed. All other testimony on this point has been that the range after the turn was more than twice that distance.

Ensign Halligan testified that 1,200 yards was the lowest range at which he fired, and that he saw the Viscaya change diection and head toward the Brooklyn. turning back, however, at once. She was 2000 yards away then. Ensign Macy agreed with Ensign Halligan as to the lowest range. When the "loop" was com-pleted the range was 2,500 yards. He said he Spanish ships at one time headed for

Ensign Hand testified that he heard an officer call through a tube that the Visaya was heading for the Brooklyn, but dmiral Dewey excluded this as hearsay. He gave the first range as 1,400 yards. Ensign Marble said that during the loop a of 900 yards was given, but he fired 1 100 because the Brooklyn was turning He, too, asserted that one of the spanish ships headed for the Brooklyn. Medica! Director Fitzsimons, who was Chief surgeon on the Brooklyn, said he heard the range of 800 yards passed.

It was Ensign Halligan who testified that he heard firing when the Flying Squadron was going to Cienfuegos. The vessel was then to the westward of that place. Under cross-examination he said he did not recomber when it was that he heard it, and two days before the ships arrived there. Admiral Schley said in an official report and told the Sentea that the Flying Squadron was about forty miles from Cienfuegos when he heard it, and that as the shots came with the regular cadence of a salute, he interpreted it as a welcome to Cervera's fleet. He gave this as one of his reasons for staying so long at Cienfuegos and not obeying the order to go to Santiago if he was satisfied that Cervera was not at the other port.

The contradiction of Capt. Sigsbee was given by Ensign Marble. In his statement the Senate Admiral Schley said that in addition to the difficulty presented in shortage of coal among the ships of his squadron, he was induced to disobey the Navy De partment's orders to stay at Santiago by a statement made to him by Capt. Sigsbee that, although Sigsbee had been off Santiago for a week, he had not seen anything of Cervera's ships and did not believe they were in the harbor. Capt. Sigsbee wrote to the Secretary of the Navy denying that he had expressed any such opinion, and asserted that he did believe the Spanish ships were there and had so told Admiral Schley. He testified to the same effect before the Schley court, but afterward corrected his testimony on that point.

The conversation between Schley and Sigsbee took place on May 26, when Sigsbee's ship, the St. Paul, encountered the Flying Squadron some distance to the southward of Santiago. The squadron stopped him and then started back for Key West. Ensign Marble testified to-day that he was standing near Schley as Sigsbee came aboard the Brooklyn and that he heard Sigshee say to an inquiry from the Commodore: "They are not here," adding that "they," which the witness understood to mean the Spanish ships, could not be there unless he (Sigsbee) knew it, as he had been off Santiago for about a

Commodore Schley's purpose in firing toward shore on May 31. He testified that the evening before he had a conversation with Schley, in which the latter said that he was going to take some of the ships next day to fire at the Spanish batteries at long range; that it was not to be a hombaniment or an attempt to destroy the Colon, which had been seen lying near the entrance to the harbor for two days, but was intended only to develop the shore batteries, and that the Navy Department did not want him to expose his ships to and fire while the Spanish fleet remained intact. Admiral Sampson received an order from the Department not to expose by ships to land batteries, but this was ! afterward modified. Nothing to show at Admiral Schley received any such Mr Bayner, his senior counsel, has into-tracted that it was senior to him. Officers of the ships that took part in the affair of May at have sworn that Schley amounced that he intended to go in close and sink the olon, but that although he gave the range s 1,000 yards, they were not permitted to in anywhere near that distance to the arising entrance. All the evidence about

ADMIRAL SCHLEY'S DEPENCE,

FIGHT OFFICERS WHO SERVED ON THE BROOKLYN TESTIFY.

Ensign Marble Swears That He Heard Capt. Sigsbee Tell Schley That Cervera's Ships Were Not at Santiago — Ensign Halligan Testifies That Schley Said, the Day Before the Attack on the Colon. That He Was Going In to Develop the Batteries at Long Range, but Not to Attempt to Destroy the Colon—Firing Ranges of the Brooklyn from Clenfuegos was not after stopping twenty-two miles or so south of that place, instead of turning amound and starting back for Key West, it would have brought her "almost anywhere to the eastward."

Washington, Oct. 17.—Eight officers who served on the flagship Brooklyn in

Lieut Charles Webster, formerly on the Brooklyn, who was on the stand yester-day, was the first witness called this morn-

fuegos Schley's ships were further off shore at night than in the day. He told of a conversation on May 26, while the Flying Squadron was on its way to Santiago, between Commodore Schley and Lieutenant Commander Southerland of the Eagle, Schley said to Southerland that he could Schley said to Southerland that he could not delay the squadron any longer on account of the Eagle, which was proceeding slowly, and ordered him to go to Kingston, Jamaica, for coal. Then the squadron went ahead at the increased speed of nine knots. Of the Santiago blockade Mr. Griffin said that Schley's ships were about a mile closer to the harbor at night than by day. He testified also that when it was suggested to Commodore Schley, as it had been several times, that the Brooklyn go to Guantanamo to coal and give the officers and men a rest from the strain of the blockade, he had answered in each instance that he preferred to remain on his station until the Spanish ships came out of the harbor.

out of the harbor.

In the battle of July 3 Mr. Griffin was in charge of the Brooklyn's powder and torcharge of the Brooslyn's powder and tor-pedo division, with station on the berth deck. He went to the forecastle after the Viscaya, Teresa and Oquendo had gone ashore and watched the chase of the Colon Commodore Schley, he said, im-pressed him at that time as being remark-ably cool, considering the battle that had just occurred.

THE WEATHER ON THE RUN TO SANTIAGO.

Cross-examined by the Judge-Advocate,
Mr. Griffin, after examining the Brooklyn's
do, said that during the afternoon watch
on May 26, when the Eagle was sent away,
the Flying Squadron was about forty miles
to the westward of the place where the
squadron first stopped on its passage
toward Santiago. He read from the log
what was seld about the weather on May
is
down the Eagle was sent to Januaica on the
26th there was a agentle to moderate breeze
on the 23th there were rain squalls and
fresh moderate and stiff breezes. On the
26th the breeze varied from light and gentle
to moderate, the weather being cloudy,
pleasant and warm.

In regard to a statement of the witness
that the sea was short and choppy for
small vessels on the 26th, when the Eagle
was sent away, Capt. Lemly had Mr. Griffin
look at the log for that time and read how
the state of the sea was recorded. It was
recorded as moderate. There was considerable surf, he said, at Clentuegos on
May 22 and 23. Iddniral Schley has stated
that the surf on these days was too beavy
to permit him to communicate with the
shore to find out if the Spanish fleet was at
Clentuegos. With pointed reference to
Admiral Schley's statement that as the
squadron approached Clentuegos to
the witness was asked if he had heard any
tiring at that time. "No, sir, he answered
blush'r Procked With Destarter.

\*Did the Flying Scuadron proceed with
respect to the squadron as a milt.

\*Did the Flying Scuadron proceed with
despatch directly from Clentuegos to Santing? asked Mr. Hanna.

\*Pes, sir, until they stopped and turned
around on the 28th, I mean by that, the
despatch of the squadron as a unit. The
speed of the slowest vessel necessarily
fixed the speed of the squadron.

Q. Then you except the retrograde move
The Court asked Mr. Halligan some questions.

The Court saked Mr. Halligan some questions.

The Court saked Mr. Halligan some questions.

\*\*Some QUESTIONS BY THE COURT

The Court asked Mr. Halligan some questions.

The Court sak Cross-examined by the Judge-Advocate, Mr. Griffin, after examining the Brooklyn's log, said that during the afternoon watch on May 26, when the Eagle was sent away, the Flying Squadron was about forty miles to the westward of the place where the

speed of the slowest vessel necessarily fixed the speed of the squadrou."

Q. Then you except the retrograde move-

ment and the time lost by that? A. Yes, sir Q. Was your vessel headed toward San Q Was your vessel headed toward Santiago at any time on the 28th? Mr. Griffin read the courses of the Brooklyn as indicated in the log at that time and Mr. Hanna added this to his question: Would those courses if continued bring you to Santiago? A. No. sir.

Q Where would they bring you? A. They would have brought us almost anywhere to the eastward. I'd like to state that in rounding the coast of Cuba we did not head directly for Santiago, but took a wide course, going to the south and then to the east.

QUESTIONS BY THE COURT.

The Court asked the witness these quastions, to which the answers are appended:
Q. Was it the roughness of the sea that
made it difficult for the Yale to take the made it difficult for the Yale to take the Merrimac in tow and that caused the hawsers to part? A. I'm not sure.

Q. Did the hawsers part or did the ends slip from the Merrimac? A. My impression is the hawser parted, but I am not sure.

Q. What difficulties did the Brooklyn have in coaling off Santiago prior to June 1? A. I don't know that there was any

difficulty at that time.
Q. Was the surf on the beach at Cienfuegos heavy enough to prevent commu-nication with shore on May 22 and 23? A. I. should say it was, except there might be some particular spot where the boats might go in and find a landing place.

Q. Was any examination made by boat at Cienfuegos to ascertain if a landing could be made? A. None, I. believe be made? A. None, I believe
Q. From what direction did the freshest
and heaviest seas come in the latter part
of May? A. At that time the sea began to come from eastward to southward.

Q Did you see the Texas or the Iowa
when the Spanish ships came in? If so, to the Brooklyn and give their bearings to the Brooklyn and say how the Brooklyn was then heading? A. I did not see them.

ENSIGN ABELE'S TESTIMONY. Ensign Clarence A Abele, a boyishlooking officer, who served on the Brooklyn as a naval cadet, having left the Naval
Academy in April, 1898, testified that the
surf at Cienfuegos when the Flying Squadron was there, was heavy, that the weather
was bad and unsettled when the squadron
sailed theres and that the was was moder. Ensign Macy gave the testimony about

sailed thence, and that the sea was moder-ate for large ships, but the small vessels pitched and rolled, retarding their head-The witness started to tell what a moder ate sea meant, but Mr. Hanna interrupted to ask Mr. Rayner if this was an expert witness. Mr. Rayner said that it was necessary to baye and the said that it was ate sea meant, but Mr. Hanna interrupted to ask Mr. Rayner it this was an experiwitness. Mr. Rayner said that it was an ecossary to have witnesses tell the court what the condition of the rea was, and to this the Judge Advocate retorted.

"Why, o course, the Court knows more than all the witnesses you can call what the word moderate in the log book means. Capt Lemly, however, did not object to the witnesses telling what was meant by a moderate sea. He said that it was a sea. This caused laughte, which embarrassed the young officer. Then he added that a moderate sea was one which would cause the Eagle to pitch and roll.

At Santiago the night blockade, was maintained at a distance of five or six miles from the harber eptrance, said M. Abele. He said that jacket bonts were inside the saudron line, and one night he saw one of these, the Marbiehend, with glasses.

EANGES AT THE SANTIAGO BATTLE.

BANGES AT THE SANTIAGO BATTLE. In the baitle of July 5, the witness said the shortest firing range of the Brocklyn was 1,400 vards, while the shortest range from his port battery was 1,400 vards. The firing was begun with the port guess. He had

Duelling Houses ranges of 10,000 yards, and on the lows out. 70 - 20.

used 1,100 yards range with the starboard battery. The range was then increased as the Brooklyn was proceeding to the westward. [After the loop was completed.] "The Viscaya turned out with her starboard gun heading toward us," said the witness, "but in a few moments she turned back again toward the beach. She seemed to be on fire in two or three places."

Mr. Abele showed that he did not want to make an estimate as to how soon Admiral

GUN FIRING AT CIENFUEGOS.

"You mean two days after your arrival,"
"You mean two days after your arrival,"
"No, sir, two days before."
In the early part of the battle of July 3

ANOTHER RECONNOISSANCE BY SCHLEY'S

Was the firing of the guns which you

as nearly as I could make out.

ENSIGN MACY'S TESTIMONY

nside. He said that the picket boats of

Mr. Macy was with reference to a conversa-

sion between Commodore Schley and him-telf on the bridge of the Brooklyn on the evening of May 30, 1808, the day before the

shooting on the Colon by the Massachu-setts, Iowa and New Orleans took place There has been a great deal of testimony

in to "pot the Colon" and try to sink of destroy her. Witnesses have testified that

the ships did not go in to 7,000 yards, the range which Commodore Schley gave in his official report. The highest range given

by witnesses was 11,000 yards, or six and a quarter statute miles. In this official

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ET'S talk

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report Admiral Schley called this affair a reconnoissance to develop the Spanish batteries. Mr. Macy's testimony was im-portant in corroborating Admiral Schley's statement that he had merely made a re-connoissance and not an attack.

OBJECT OF THE ATTACE ON THE COLON

witness, "but in a few moments she turned back again toward the beach. She seemed to be on fire in two or three places."

Mr. Abele showed that he did not want to make an estimate as to how soon Admiral Sampson's flagship, the New York, came up after the Colon went ashore. He said he did not know and did not want to say, but finally ventured, "about an hour." Capt. Lemly objected to this, saying it was immaterial, and the witness said that he did not like to make an estimate, and questioning on this line was dropped.

To a question by Mr. Rayner, the witness said that "encouraging messages to cheer us up were sent from the central station in the battle," but he did not know who sent them. Mr. Rayner remarked that this would be shown when Admiral Schley took the stand.

THINGS THE COURT WANTED TO KNOW.

The Court asked these questions:

Q. Did you see the fall of any projectiles on July 3 fired at 1,100 yards range? A. The Court asked these questions:

Q. Did you see the fall of any projectiles on July 3 fired at 1.100 yards range? A. ing for a reconnoissance and not to attack the batteries or to destroy the Colon. O He said that to you? A. Yes, he said

on July 3 fired at 1,100 yards range? A. Not to my recollection.

Q. What were the relative positions of the Viscaya, Colon and Brooklyn when you fired the starboard gun at the range of 1,100 yards on July 3? A. Well, abaft the beam—about three points abaft the beam—the Viscaya being ahead of the Colon.

Q. Was that after the Brooklyn had completed her turn by way of south and west? A. Yes, sir. [All the other witnesses who have testified that this range was used have said it was before the Brooklyn turned.]

Q. He said that to you? A. Yes, he said that to me.
Q. Did he say what ships he was going to take in? A. I do not remember.
Mr. Macy said he was on the forward gundeck of the Brooklyn in the battle of July 3. The least range he used was 1,200 yards, and that was with the port battery. After the "loop" the range was about 2,500 yards.
On cross-examination the witness said he did not remember having heard Commodore Schley say when he got the order not to expose his ships or anything else about it. The signal man and two marines were near and might have overheard the conversation. Ensign John Halligan, Jr., likewise boy-ish looking and smooth faced, who had served also as a naval cadet on the Brooklyn served also as a naval cadet on the Brooklyn and who had come home from the Philippines to testify, said he had heard firing of guns at Cienfuegos when the Flying Squadron was approaching that port from Kew West. This confirmed Admiral Schiev's statement that gun firing heard on the Brooklyn when the Flying Squadron approached Cienfuegos helped convince him that the Spanish fleet was there.

On cross-examination, the witness said that he was certain that he heard firing within two days of the arrival of the squadren off the Cuban port.

"You mean two days after your arrival,"

The Court asked these questions, to which Mr. Macy's answers are appended:
Q. Did you see the Texas when the Brooklyn was turning with port helm? A. I did

Q. Did you see any of the Spanish ships when they were coming out of the harbor on July 3? A. Yes. When I first saw them two of them were out and a third was

just coming out.

Q. How were the Spanish ships heading when coming out of the harbor with reference to the position of the Brooklyn on July 3.2 A After they came out of the entrance they were headed to the westward, ap-ENSIGN HAND CALLED.

In the early part of the battle of July 3 Mr. Halligan was in the port turret of the Brooklyn. The shortest range on the Spanish ships that he remembered was 1,200 yards and the longest (when the Viscaya 2,000 yards. He said he saw the Viscaya change her direction out toward the Brooklyn, said that the was bad while the Flying Squaching her turned back toward shore. On the run to Santiago he said the Eagle made said weather. She pitched and rolled of Admiral Schley under fire on July 3 he said: "His bearing was such as to inspire enthusiasm among his officers and men."

ANOTHER RECONNOISSANCE BY SCHLEY'S Ensign James A. Hand, who was also a cadet on the Brooklyn, said that the weather was bad while the Flying Squadron was going to Santiago. In the battle of July 3 he was engaged in transmitting orders. The first range he gave, he said, was 1,400 yards. One of the junior officers reported to him through the tube that the Viscaya was turning out toward the Brooklyn. This answer was excluded by Admiral Dewey as hearsay. Mr. Hand said he frequently transmitted messages from Commodore Schley and Capt. Cook to encourage the men. One message, of which he could not recall the tenor, caused the men in the forward handling room to give three cheers for the Commodore.

ENSIGN MARBLE'S TESTIMONY.

Still another young officer who served on the Brocklyn as a naval cadet gave testimony for Admiral Schley. He was Ensign Ralph N. Marble, who came home from the Philippines to testify. He said that during the Brooklyn's turn, when the Specials shirs, were nearly astern, the Spanish ships were nearly astern, the tange at which he fired was 1,100 yards. The range was passed to him at 900 yards, but he did not use it because the turn was made so rapidly that he thought the range

but he did not use it because the third was made so rapidly that he thought the range was increasing.

Mr. Marble gave a direct contradiction to Capt. Charles D. Sigsbee's testimony that he had never said to Commodore Schlev off Santiago, on May 28, that he (Sigsbee) did not believe the Spanish fleet was in Santiago harbor. Commodore Schley said in his defence to the Senate that one of the reasons he believed the Spanish ships were not at Santiago was that Capt. Sigsbee, who had been scouting off the port for a week, told him that he did not believe they were there. Capt. Sigsbee wrote a letter to the Navy Department denying that he had said this. He said he did believe the enemy was at Santiago. The conversation between Commodore Schley and Capt. Sigsbee occurred on the Brookiyn on May 28, when the Flying Squadron encountered Sigsbee's ship, the St. Paul, and other scouting vessels about twenty-two miles southeast of Santiago. Shortly after his conversation with Capt. Sigsbee, Commodore Schley turned back for Key West and sent the message to the Navy Department saying he had to go there Navy Department saying he had to go there

Q. What were the relative positions of the Viscaya and the Brooklyn when the Viscaya turned toward the Brooklyn? A The Viscaya was on our starboard beam, or perhaps a little ahead of that. She was headed toward us about 2,000 CONTRADICTS CAPT. SIGSBER To a question by Mr. Rayner, Mr. Marble e was present during the conversa-et ween Commodore Schley and Capt. gsbee. He was standing near the Com-odore as Capt. Sigsbee came aboard and

modore as Capt. Sigsbee came aboard and approached Schlev

"Commodore Schley asked Capt. Sigsbee," said the witness, "Have we got them? meaning the Spanish ships, as I understood. Capt. Sigsbee answered: No, they are not here. I have been here about a week and they could not be here unless I knew it. That was, in effect, what was said, although the words may not have been exactly those. I did not hear anything else, as I went away then." heard to the west of Cienfuegos regular or irregular, and how many shots did you hear? A As I recollect the firing it was regular. I heard probably three or four shots, perhaps more than that.

Q. Was the Viscaya headed for the Brookabout they about miles. lyn at any time prior to the occasion you have mentioned? A. She was headed for the Brooklyn at the beginning of the battle. hear anything else, as I went away then."
In answer to questions by the Judge
Advocate, Mr. Marble said that there were
some officers near by, but he did not remember who they were.

QUESTIONS BY THE COURT. Marble was asked some questions

Another young and smooth-faced witness was Ensign Ulysses S. Macy. Like the two preceding witnesses, he had served as a naval cadet on the Brooklyn in the Spanish war. He said he did not hear any firing when the Flying Squadron approached Clenfuegos. The surf there was heavy, he said. On the way to Santiago the squadron approached to slow down for the gunboats. by the Court: Did any Spanish ship show a dispohe said. On the way to Santiago the square ron had to slow down for the gunboats ron had to slow down for the gunboats Eagle and Vixen and the collier Merrimac. Of the Santiago blockade, he said that the ships were four miles from the entrance at night, steaming in column three or four miles to each side of it, with picket boats Q. Did any spanish sale slow a disposition to ram the Brooklyn at the beginning of the engagement of July 3? A. One of the Spanish ships did not turn as soon as the others and was headed at the Brooklyn Q. Did you see the Texas at any time when the Brooklyn was turning to staroard? A. No, there was too much smoke. Q. How did the Viscaya bear to the trooklyn when she (the Viscaya) star-Q. How the the Viscaya bear to the Rooklyn when she (the Viscaya) starboarded her helm and then ported her helm, and how far was the Viscaya distant from the Brooklyn at that time? A. At first the Viscaya bore about half a point toward our starboard bow, when she turned and was heading for the shore, she bore about one or two points abaft the hear. The distance at that time was be seen from the Brooklyn with night glasses on clear nights.

The most important testimony given by The distance at that time was about 3,000 yards. concerning atements of Commodore Schley before this affair that he was going

FLEET SURGEON FITZSIMONS CALLED. Medical Director Paul Fitzsimons, the first officer not of the line to be called as a witness, followed Ensign Marble. He is now stationed at Newport, R. I. In the Spanish war he served as Fleet Surgeon with the Flying Squadron and as Chief Surgeon of the Brooklyn. He said he had a good view of the battle of July 3. Dr. Fitzsimons asserted that if the Brooklyn had continued on her course (loward the continued on her course, loward the continued on her course, loward the continued on her course, loward the continued on her course. ist officer not of the line to be called as a entinued on her course toward the mouth Santiago harbor, instead of making the urn she would have gone to the westward of the leading Spanish ships. [This would have placed the enemy between the Brook-yn and the other American vessels]. It lyn and the other American vessels]. It seemed to him, he said, that the Brocklyn was fighting the whole spanish heet alone as the turn was completed. He had heard the ranges given to the gunners and knew of one order to an officer to have his guns at 850 yards. Then the range ran up to 3,000 yards, and the highest, which he believed was in the chase after the Colon, was 3,500 yards. Dr. Fitzsimons said he treated Compodore Schiev at 1,30 P. M. that day for the projection of the throat consed by for an irritation of the throat caused by too much smoke. The Commodore was then exuitant over the victory. His throat pained him and be could hardly taik loud enough

him and he could hardly taik toud enough to make himself understood.

Under cross-examination by Mr. Hanna.
Dr. Pitzsimons said he saw only one Spanish ship in the beginning of theaction.
He was asked if the specifications of the proceed suggested anything to him, and he answered that all he could say with reference to them was that he knew nothing to Commodore Schley's discredit. This remark caused laughter, and Mr. Hanna asked in such a way as to invite a com-plimentary reference to Commodore Schley: "Do you know anything to his credit?" "Yes," said Dr. Fitzsimons. "I think it

'yes," said Dr. Fitzsimons, "I think it was to his credit that the Brooklyn kept the Color, from getting away."

In Fitzsimons testified also that the Commodore was troubled about the slow progress of the Eagle on the voyage toward Santingo, but healtated about sending her

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away. This brought the following question by the Court:
"How do you know that the Commodore hesitated about sending the Eagle away?"
"I heard him talking about it," the wit-

→ ALPHABETIC TIPS.

THE

SMOKE

ness answered.
Did he give any reason for hesitating to send the Eagle away? Mr. Rayner asked.
"He wanted to keep the squadron intact." anid Dr. Fitzsimons.

The court adjourned as Dr. Fitzsimons's testimony was concluded.

ADMIRAL SCHLEY'S DETAIL. Navy Department Assigns Him to Active

Service With Court of Inquiry. WASHINGTON, Oct. 17. Rear Admiral Winfield Scott Schley, whose conduct in the war with Spain is under investigation and who was placed on the retired list of the Navy several days ago, has been detailed by Secretary Long to active service with the Court of Inquiry. This action was taken by the Navy Department upon a suggestion from Rear Admiral Schley in a communication inquiring as to his status owing to his retirement. Now that he has been detailed on active service he will receive active list pay amounting to \$158 a month more than retired pay. This detail, under the orders of the Secretary of the Navy, will continue as long as the Schley Court is in session.

Another Post Office Bearing the Name of

Army and Navy Orders. WASHINGTON, Oct 17. - These army orders have

been issued

First Lieut, Willard H. McCornack, transferred
from Minth Cavalry to Eleventh Cavalry, Troop D. from Ninth Cavalry to rileventh Cavalry. Troop D. and First Lieut. James E. Fechet, from Eleventh Cavalry to Ninth Cavalry. Troop M. Washing to Lieut. Ell. 1. Admire. Thirtieth Inhantry, transferred to Twenty-second Infantry. Company B. Col. William M. Van Horne. Twenty situal Inhantry, having been found incapacitated for active service, having the found incapacitated for active service, having the found in the found incapacitated for active service.

Infantry, from leave of absence to Columbus barracks
First Lieut, William L. Luhn, Eleventh Cavalry, from Fort Yellowstons and four life segment.

Leave of absence granted Second Lieut, Joseph F. Barnes, Artiflery Corps, further extended two months.

The leave of absence granted Capt. Fimer W. Clark, Eighteenth Infantry, extended one month. Second Lieut, Albert J. Bright, Thietieth Infantry, transferred to Second Infantry, Company C. Contract Surgeon Hobart E. Warren, I. S. A. from Denver to General Hospital, Fort Bayard.

First Lieut, William J. Calvert, Assistant Surgeon, from General Hospital, Washington, to Fort McHenry, First Lieut, George L. Horoade, First Infantry to Washington General Rospital for treatment.

Lieut, Col. John W. Hannay, transferred from the Twelfth Infantry to Thirtieth to Twentisth Infantry Lieut, Col. John W. Hannay, transferred from Twentieth to Twelfth Infantry Lieut, Col. John W. Hannay, Thirtieth to Twentisth Infantry Lieut, Col. John W. Hannay, Thirtieth Infantry, upon his application after over thirty years service, retired.

retired.

Leave of absence granted Capt. Robert E. L.

Spence, Thirtieth Infantry, extended to Nov. 16.

Leave of absence for twenty days granted Second

Lieut. Stanley S. Ross, Artillery Corps.

Leave of absence for twenty days granted Lieut.

Col. S. M. Mills, Artillery Corps.

These naval orders have been issued These inival orders have been issued Lieut. Voiley Chase, from the navy yard, Washington, to Bureau of Ordnance, as assistant to the Chief of Bureau.
Lieut, John R. Morris, from the Wabash to home and leave one month.
Naval Cadet M. G. Cook, from the Vixen to the Indiana.
Naval Cadet George C. Westervelt, from the Indiana to the Vixen.
Surgeon Samuel H. Griffin, detailed as member of Medical Examining Beard only, and not as member of Beard for Examination of Medical Officers.
Assistant Naval Constructor Henry Williams, from the Bureau of Constructor Henry Williams, from the Bureau of Constructor Henry Williams, from the Bureau of Constructor Henry Williams. Assistant Assart Construction and Repair to the nave yard New York.

Assistant Naval Constructor Henry T. Wright, from Bureau of Construction and Repair to Bayy Yard, Puget Sound.

Assistant Naval Constructor John E. Halley, from Assistant Naval Constructor and Repair to Philadelphia isels.

A Constructor Benry M. Gleason

Assistant Naval Constructor Benry M. Gleason

Construction and Repair to League Island
Assistant Naval Constructor Guy A. Bissel, from
Bureau of Construction and Repair to the bass yard. Boston

Mason & Hamlin **PIANOS** 

"A plane for the musically intelligent." -WILLIAM MASON.

Warerooms, 3 6 5 WEST 18th STREET. Near Fifth Avenue.

## HAMMERSLOUGH BROS.

Quitting Business. Fine Clothing at 60 cts. Dollar. Every garment beautiful, fashionable and reliable, but every price amazingly low. For, we retire positively this Fall from the retail business and our magnificent stock is now being sacrificed at exactly 60 cts. on the dollar.

Thousands of henetiful business suits, full dress and Tuxedo suits, stilk lined Prince Albert coats and vests made of the finest imported victinas; striped trousers, long, loose, broad shouldered Fall evertugets still where steepenats, &c. Having theen made to happill not own workshops, all will hold their shape and west like steel, but all go now at exactly 60 cts, on the deliar.

About 650 of our finest \$15, \$18, \$20 suits are now reduced to

They include beautiful black, blue, and grey unmashed worsted suits imported blick thibet and diagonal suits famey existinger and warsted suits in exclusive patterns, &c. Among them are by of our famous. Strated suits, cut will broad shoulders and military fronts. About 500 of our finest \$15 & \$18 Fall overcoats are now reduced to

\$7.50 each.

They include light and dark covert overcoats, black thibet and imported Oxford grey vicuna over-coats, 40. Man) are cut in the long, loose, troad shouldered style now the fashion. Some are slik-lined.

HAMMERSLOUGH BROS., 830 BROADWAY. 12th and 10th

CANNOT USE THE MAILS. | MARITAL CRUELTY, NEW STYLE.

Foundry and Nicholson Institute.

WASHINGTON, Oct. 17. The Postmaster-Washington, Oct. 17.—Fourth Assistant
Postmaster-General Burton to-day established the first Post Office bearing the name of "McKinley," since the death of the late President. Up to Jan. 1, 1901, ferent styles of type it had for only in the late of the Supreme Court yesterday, were unusual allegations set forth as cruelty. Abbott is connected with the Jersey Baggage and Transfer Company, and Moses H.

Gressman, counsel for Mrs. Abbott, deferent styles of type it had for only in the late of the Supreme Court yesterday, were unusual allegations set forth as cruelty. Abbott is connected with the Jersey Baggage and Transfer Company, and Moses H.

Gressman, counsel for Mrs. Abbott, dethere were seventeen Post Offices bearing the name of McKinley. The Post Office established to-day is in Franklin county, Wash. After having completed the preliminaries and secured credit with advertising mediume the following advertisement was published woman to Washington and remained away two days. Plaintiff says she was left without care and attention for the two days

deafness and noises in the head by Dr. Nicholson's artificial ear drum, gave \$10,000

deafness and noises in the head by Dr. Nicholson's artificial ear drum, gave \$10,000 to the institute so that deaf people unable to procure ear drums may have them free. Address the Nicholson Institute, 780 Eighth avenus."

To those willing to take advantage of the free offer it was represented that the institute was a purely philauthropic concern and was not operated for profit, but that the medicines which it was necessary to use with the ear drum must be paid for by the patron. The Post Office authorities satisfied themselves that the scheme was simply one to sell medicine at exorbitant rates and that philauthrophy played no part in the operations of the company. The case was proposed for criminal prosecution, but the promoter left for London before he could be apprehended.

Transport Sheridan Salls From Manila.

Transport Sheridan Salls From Manila. WARRINGTON, Oct. 17.-Gen. Chaffee cabled the War Department this afternoon reporting the departure of the transport Sheridan with 271 sick, 19 insane and 745 short-term enlisted men. Arrang for replacing the returning men made in a few days.

Army and Navy Appointments.

WASHINGTON, Oct. 17.-The President o-day made the following appointments: Clarence N. Jones and Francis H. Lomax. to be Second Lieutenants in the Artillery Corps (by transfer from the Infantry) Charles K. Maliory, to be a Lieutenant, junior grade, in the Navy.

City Clerk of Nashua, N. H., Missing. NASHUA, N. H., Oct. 17.-Alfred A. Hall,

City Clerk of Nashua, is missing. On Monday be went to Boston, presumably on business connected with the purchase of a local hotel. Up to to-night he has not been seen or heard from Mayor Taylor and the other city officials are particularly anxious, as it is feared that his accounts are mixed. Some of Hall's friends think he has met with foul play.

Beath of Policeman Hoev. TO THE EDITOR OF THE SUN-SIF: I have

pleasure in sending you the enclosed, a written account of the death of Park Police-man Hoey, about ten days ago:

He watches the busy diviseway.
In his hand the leathers rells.
Like a centaur, he of the mounted force,
Carrages his horse's mane The roat of a speculag auto.

The blue of excepting shear. The clarg of a going in wild alarm The horse throws up his noble head,

With with the rear he feels.

And things his raise out on the drive.

Beneath the grinding warels. Two secret of proveners shed in blue.

A knoop of the incurated force.

A bearse, some flowers: and trappings good

And a saddled indecreas book. No more  $\mathbf{w}$  is the contrade on before

Stand guard where he seem for most

Fraud Order Against the Imperial Type Wife's Feelings Burt When Husband Went About With Other Women.

Incorporated in the papers of Katharine General to-day issued an order denying A. Abbott on a motion for counsel fee and the use of the mails to the Imperial Type alimony in an action for separation from Foundry, 23 Duane street, and the Nicholson William M. Abbott before Justice Macferent styles of type it had for sale is sent clared that he earns \$300 a month. The to those from whom it afterward contracted Abbotts had married in 1896 and resided in West Twenty-fourth street.

Mrs. Abbott averred that in April, 1900. advertisements of the Nicholson Institute. her husband went on a pass for two with

out care and attention for the two days and two nights, and her feelings were injured and she became sick. A month later her husband was with two women at the Grand Opera House. He refused

warrant for her arrest.

Abbott denied her charges and said she left him without cause. Decision on the

CARRIED DYING TO A HALLWAY. Patrick Conlin Stricken on a Car - Daughter Watched From a Window.

motion was reserved

Patrick J. Conlin. an employee of the Department of Highways, bying at 2304 Arthur avenue, in The Bronx, was stricken with heart disease yesterday in a car at Third avenue and 182d street. He was carried to a hallway opposite the Home for incurables at 182d street, and died there, after Father Haeley of the Church of St. Martin of Tours had administered Extreme Unction to him. Conlin's daughter is a nurse in the Home

for Incurables. She saw the crowd from the window, and on going across the street to see what it was about found her father lying dead in the hallway. She had to be carried back to the Home.

Actress's Boy Sleeping in the Street. James Buckner, a newsboy, was arrested

for sleeping in front of the Knickerbocker Theatre last night. He is the son of Mrs. Louisa Buckner, an actress, whose stage name is Louisa Quinton and who plays in "The Fatal Wedding", now on the road. The police have been looking for him at his mother's request.

CARPET 328 7TH AVE. BALLINGS T. M. STEWART.

It's Your To Get a \$6
Business High Silk Hat
for \$5.

AN ANIOT PL a few steps fast of Broadway-